

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DISTRICT**

**MICHELLE DAY, ADMINISTRATOR
OF THE ESTATE OF JAMES AVERY
DEWEESE, SR. AND ON BEHALF OF
THE WRONGFUL DEATH BENEFICIARIES
OF JAMES AVERY DEWEESE, SR;
RUTH DEWEESE, INDIVIDUALLY; and
MICHELLE DAY, INDIVIDUALLY**

PLAINTIFFS

VS.

CASE NO. 4:14-CV-0342 KGB

UNITED STATES OF AMERICA

DEFENDANT

NOTICE OF APPEAL

Notice is hereby given that Michelle Day, Administrator of the Estate of James Avery Deweese, Sr. and on behalf of the Wrongful Death Beneficiaries of James Avery Deweese, Sr.; Ruth Deweese, Individually; and Michelle Day, Individually, Plaintiffs in the above captioned case, hereby appeal to the United States Court of Appeals for the 8th Circuit from the following:

1. Judgment entered June 10, 2016, Docket No. 74.
2. Opinion and Order entered June 10, 2016, Docket No. 73, in which the District Court granted the government's motion for summary judgment in its entirety.
3. Opinion and Order entered June 7, 2016, Docket No. 68, in which the District Court granted the government's motion for summary judgment on Plaintiffs' medical negligence claims.
4. Any and all adverse rulings by the District Court.

**MICHELLE DAY, ADMINISTRATOR
OF THE ESTATE OF JAMES AVERY
DEWEESE, SR. AND ON BEHALF OF
THE WRONGFUL DEATH BENEFICIARIES
OF JAMES AVERY DEWEESE, SR;
RUTH DEWEESE, INDIVIDUALLY; and
MICHELLE DAY, INDIVIDUALLY,
Plaintiffs**

**By: /s/David Hodges
DAVID A. HODGES
Attorney at Law
212 Center Street, Fifth Floor
Little Rock, AR 72201-2429
Arkansas Bar No. 65021
Telephone: 501-374-2400
Facsimile: 501-374-8926
E-Mail: david@hodeslaw.com**

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

Ms. Lindsey Mitcham Lorence
Assistant United States Attorney
P.O. Box 1229
Little Rock, AR 72203

**/s/David Hodges
DAVID HODGES**